

From the front page...

UN Rapporteur...

prosecutors, courts, witnesses' protection apart from knowing whether compensation is paid to the victims," Heyns said.

He said his purpose to visit a country is to propose specific and constructive reforms to reduce killings and to promote transparency and accountability.

Heyns said right to life is of immense value as it provides foundation for all other rights.

Association of Parents of Disappeared Persons (APDP) president Parveena Ahangar urged the Rapporteur to persuade the Government of India to make public whereabouts of missing people in Kashmir.

She said, "We should come to know about the whereabouts of our missing children and UN should urge government of India to disclose whereabouts of the missing."

Parveena submitted a report to him on behalf of APDP. The report included copies of cases of Enforced Disappearances submitted by APDP to the UN WGEID in 2008.

Noted Lawyer, Zaffar Shah in his opening remarks during media briefing said the various draconian laws in Jammu and Kashmir are out of sync with democratic credentials and are disappointing.

"We have a vast experience about how these laws are anti-democratic and have been abused by the state," Shah said.

He said under Armed Forces Special Powers Act (AFSPA), Disturbed Areas Act (DAA) and Public Safety Act (PSA), the security forces can shoot a person on a trifling reason.

There is no accountability and the perpetrators commit wrongs under these draconian laws and the various cases vis-a-vis justice in the courts have been lingering on for the dilatory response of the government.

"We have examples of startling incidents like Pathribal, Kunun Poshpora and others but the perpetrators of crimes have not been brought to book," Shah said.

Shah said for the families seeking justice from the courts could not get justice as it is mandatory under the draconian laws to get sanction from government of India to prosecute the accused.

He said during the summer unrest in 2010, over 117 persons including teens were killed after disproportionate force was used against them.

"There were other alternatives like use of rubber bullets, which the police and security forces could have resorted to, but instead of using these options disproportionate force was used which resulted in the precious human lives," he said.

"Our judiciary has failed to deliver as in criminal justice system the government does not choose to act promptly resulting in injustice to the victim families," Shah said.

After briefing the media, Heyns had a closed door interaction of question answer session with the victim families. Among others who were present include victims of major fake encounter killings, Pathribal, Ganderbal, Machil, Kupwara and Chattisinghpura Massacre, families of victims of 2010 killings, Muhammad Ashraf Matoi father of Tufail Ashraf Matoi, Farooq Ahmad father of Warniq Farooq, Fayaz Ahmad Rah father of Sameer Ahmad Rah and Muhammad Ramzan father of Adil Ramzan.

Victims like Shakeel Ahmad Ahangar (rape and murder of Asiya and Neelofar, Shopian), Muhammad Ashraf Magray father of Javaid Ahmad Magray, Masooda Parveen (wife of Ghulam Mohidin Regoo), Farooq Ahmed Sheikh (father of Zahid Farooq), Ahmadullah Khanaday, Sabzar Ahmad, Talib-ul-Islam (Shulyaq Khanaday, Imtiyaz Ahmed and Shujat-ul-Haq killing Anamthaq) and Muhammad Ramzan (Adil Ramzan killing Palhallan).

The update on the killing of Talib Andrabi a human rights defender and lawyer, abducted and killed in 1996, was given by Rifat Andrabi and Arshad Andrabi.

Sanjay Tikoo and Satinder Singh from Kashmir Minority Front highlighted the situation of minorities and in particular the killing of Kashmiri Pandits and Sikhs by non-state actors. They emphasized that no attention had been paid to investigate and discover the truth behind the brutal massacre of Sikhs in Chhattisinghpura, Mehjoormagar. Abdul Qayoom Zargar from Doda put forth his case wherein 8 members of his family were killed and 2 women raped, in 1996. Till date no legal action has been initiated.

During the evening briefing session Heyns interacted with High Court Bar Association, Executive Committee led by President, Mian Abdul Qayoom, former Vice Chancellor of UUST, Dr Siddiq Wahid and some journalists.